



United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

January 21, 2021

VIA ECF

Hon. Alison J. Nathan
United States District Judge
United States District Court
40 Foley Square
New York, New York 10007

USDC SDNY
DOCUMENT
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Re: *Al Aswad v. Barr, et al.*, No. 20 Civ. 890 (AJN)

Dear Judge Nathan:

This Office represents the government in this action in which the plaintiff seeks an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate his Application for Temporary Status (Form I-821). On behalf of the government, I write respectfully to request an on-consent extension of time of fourteen days to respond to the complaint (*i.e.*, from January 22, 2021 to February 5, 2021). I also respectfully request that the initial conference presently scheduled for January 29, 2021 be adjourned to a date at least one week after February 5, 2021.

The extension is respectfully requested because USCIS informed me earlier today that it is in the process of finalizing a decision on plaintiff’s application, and that it expects the decision to issue within the next week, which would render this action moot. I apologize for making this request within forty-eight hours of tomorrow’s deadline for the government’s response to the complaint; however, the request is based on information that became available earlier today.

This is the government’s third request for an extension of the deadline to respond to the complaint and to adjourn the initial conference.¹ Plaintiff’s counsel consents to these requests.

I thank the Court for its consideration of this letter.

SO ORDERED.

1/21/2021

Respectfully submitted,

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United States Attorney

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¹ On July 30, 2020, the government requested an extension of time to respond to the complaint because our Office had no record of receiving service. *See* ECF No. 29. On August 4, 2020, the Court granted that request. *See* ECF No. 30. On September 22, 2020, the government requested an extension to allow plaintiff to submit additional information for purposes of his application. *See* ECF No. 31. On September 23, 2020, the Court granted that request. *See* ECF No. 32.